

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

BARCLAY

Serial No. 09/639,426 ✓

Filed: August 15, 2000

Atty. File No.: 2997-1-3-1-3-DIV

For: "AQUACULTURE FEED  
COMPOSITION INCLUDING  
THRAUSTOCHYTRIALES  
MICROFLORA"

Group Art Unit: 1651

Examiner: WARE, D.

TERMINAL DISCLAIMER

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted via facsimile to  
the United States Patent and Trademark Office  
on the date shown below.

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Signature

Date:

19 Sept. 2001

Box AF

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

I, Gary J. Connell, represent that I am an attorney for OmegaTech, Inc. and am authorized to sign this document on behalf of OmegaTech, Inc., that OmegaTech, Inc. is a corporation fully organized under the laws of the State of Delaware and has a place of business at 4909 Nautilus Court North, Suite 208, Boulder, Colorado 80301-3242; and that OmegaTech, Inc. is the owner by assignment of the entire right, title and interest in and to U.S. Patent Application Serial No. 09/639,426, entitled "AQUACULTURE FEED COMPOSITION INCLUDING THRAUSTOCHYTRIALES MICROFLORA," filed August 15, 2000. The invention was originally assigned by the inventor to OmegaTech, Inc., said assignment being recorded in the U.S. Patent Office at Reel and Frame 6292, Frame 006.

I hereby disclaim, on behalf of OmegaTech, Inc., the terminal part of any patent granted on U.S. Patent Application Serial No. 09/639,426 that would extend beyond the expiration date of U.S. Patent No. 5,340,742, and I hereby agree on behalf of OmegaTech, Inc. that any patent granted on U.S. Patent Application Serial No. 09/639,426 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,340,742, this

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agreement runs with any patent granted on U.S. Patent Application Serial No. 09/639,426 and is binding upon the grantee of such patent and its successors or assigns.

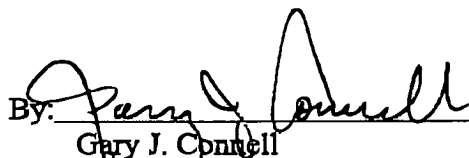
I do not disclaim any terminal part of any patent granted on U.S. Patent Application Serial No. 09/639,426 prior to the expiration date of the full statutory term of U.S. Patent No. 5,340,742 in the event that such patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The recorded assignment referred to in the instant Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge, title is in OmegaTech, Inc.

Enclosed is a check for \$110.00 for the statutory disclaimer fee as specified under 37 CFR § 1.20(d). Please credit any overpayment or debit any underpayment to Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

By:   
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Date: 19 September 2001

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